

Sunset Public Hearing Questions for  
**CONSERVATION COMMISSION**  
Created by Section 11-2-101, *Tennessee Code Annotated*  
(Sunset termination June 2011)

1. Provide a brief introduction to the Conservation Commission, including information about its purpose, statutory duties, staff, and administrative attachment.

**Pursuant to §11-2-106, the Conservation Commission is an advisory body. It has adopted the following mission statement, “The Conservation Commission’s mission is to serve as an avenue to promote the protection and preservation of Tennessee’s natural and cultural resources through guidance, direction and communication between local communities and the Tennessee Department of Environment and Conservation.” The Commission has no staff. TDEC employees in the Division of Recreation Educational Services provide administrative support to the Commission.**

2. Provide a list of current commission members, or their designees, and describe how membership complies with Section 11-2-102, *Tennessee Code Annotated*. Are there any vacancies on the commission and, if so, what is being done to fill those vacancies?

**Current roster is attached and there are no vacancies at this time.**

3. During the last 10 years, has any member of the commission been removed from the commission under the provisions of Section 11-2-103, *Tennessee Code Annotated*? If so, please explain.

**No.**

4. What per diem or travel reimbursement do members receive? **Mileage, lodging, meals, parking downtown (based on the State travel regulations).** How much was paid to commission members during fiscal years 2009 and 2010? **\$873.56 (see attached excel spreadsheet).** Were any other expenses charged to the commission? **Lunches were provided for the February 2010 (Nashville Central Office) and April 2010 (Long Hunter State Park) meetings. (\$426.00).**
5. What were the commission’s revenues (by source) and expenditures (by object) for fiscal years 2009 and 2010?

**The Commission receives no revenue and has no expenditures other than those mentioned in item 4.**

6. What reports does the commission prepare on its operations, activities, and accomplishments, and who receives these reports?

**None.**

7. Does the commission have a web site? If so, please provide its web address. What kind of public information is provided on the site?

**Yes. On TDEC's website at <http://tn.gov/environment/boards/conscom/>. The website provides commission members' names and term ending dates as well as area represented. This website also includes links to agendas, meeting times and bios of commission members.**

8. Is the commission subject to Sunshine law requirements (Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedure does the commission have for informing the public of its meetings and making its minutes available to the public?

**Yes, meeting time and agenda is placed on the website mentioned in #7 through TDEC's monthly sunshine notice.**

9. Does the commission have the authority to promulgate rules? **No.** If so, and the commission has promulgated rules, please cite the reference. If such authority is not granted, does the commission feel that authority is needed? **No.**

10. Section 11-2-105, *Tennessee Code Annotated*, states, "The commission shall meet in April, July, October and January of each year, and shall hold such special meetings as the commission may designate, or as the chair may call." How many times did the commission meet during fiscal years 2009 and 2010 and how many members attended each time?

**The Commission met four (4) times and there were the following attending at each meeting: November 2009 (9) – teleconference, February 2010 (6), April 2010 (9).**

11. What were the commission's major accomplishments during fiscal years 2009 and 2010? Specifically, describe what studies and recommendations concerning conservation programs and policies were issued pursuant to Section 11-2-106, *Tennessee Code Annotated*.

**None.**

12. Describe any items related to the commission that require legislative attention and your proposed legislative changes.

**None.**

13. Should this commission be continued? **Yes.** Why or why not? **The Commission is a valuable source of input on the conservation programs of the department.**

14. Please list all commission programs or activities that receive federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.

**Although the Commission does not receive federal financial assistance, we have provided the following answers for the Department of Environment and Conservation.**

***If the commission does receive federal assistance, please answer questions 15 through 22. If the commission does not receive federal assistance, proceed directly to question 21***

15. Does your commission prepare a Title VI plan? If yes, please provide a copy of the most recent plan.

**The TDEC has a Title VI Plan that's developed for and applicable to all TDEC programs.**

16. Does your commission have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.

**The TDEC has a Title VI Coordinator and Complaint Officer.**

**Coordinator: Costin Shamble (615-253-8337) - Facilitate Title VI compliance activities; review data and make recommendations of actions to enhance Title VI compliance; conduct Title VI training programs; compile Department's Title VI Implementation Plan; represent the TDEC at meetings on Title VI.**

**Complaint Officer: M. C. Holland (615-532-0153) - Receives Title VI complaints; conducts an investigation of complaints; facilitates a remedy of Title VI concerns; makes recommendation(s) of actions needed to resolve complaint.**

17. To which state or federal agency (if any) does your commission report concerning Title VI? Please describe the information your commission submits to the state or federal government and/or provide a copy of the most recent report submitted.

**The TDEC is required to submit an annual Title VI Implementation Plan to the State Comptroller of the Treasury. Additionally, the Plan is submitted to and reviewed by the Title VI Legislative Sub-Committee of the State Legislature. A public hearing is conducted annually on the Plan. Disadvantaged business participation is submitted to the Environmental Protection Agency.**

18. Describe your commission's actions to ensure that commission staff and clients/program participants understand the requirements of Title VI.

**Internally:**

- **Mandatory Civil Rights training of TDEC staff included Title VI**
- **TDEC Title VI brochure distributed to Department staff**
- **Periodic discussions with staff, Title VI related actions/activities**
- **Staff participation in training programs offered by state and federal agencies**

**Externally:**

- **Participation in Community Title VI workshops and conferences**
- **Contract language includes Title VI compliance**
- **Posting of Civil Rights posters**
- **Distribution of Title VI brochure**

19. Describe your commission's actions to ensure it is meeting Title VI requirements. Specifically, describe any commission monitoring or tracking activities related to Title VI, and how frequently these activities occur.

**Minority participation in TDEC programs and activities is reviewed by the Title VI Coordinator. Activities reviewed include: representation on boards, disadvantaged business participation, and public participation. Meetings with the Commissioner's staff are held to discuss minority participation issues at least quarterly. Disadvantaged business participation is submitted quarterly to the Environmental Protection Agency. A compilation of the TDEC's minority outreach and participation is reviewed routinely and compiled annually.**

20. Please describe the commission's procedures for handling Title VI complaints. Has your commission received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).

**The TDEC did not receive a Title VI Complaint during fiscal year 2008-2009.**

**Complaint procedure:**

**Complaints must be filed in writing. The complaint should be filed on the TDEC's complaint form. The division director of the program will forward the complaint to the Title VI Complaint Officer.**

**TDEC will make a prompt investigation when a complaint or other information indicating a violation is received. If the investigation indicates a violation of Title VI, TDEC will notify the recipient and will attempt to resolve the matter informally. If the investigation indicates that a violation did not occur, TDEC will notify the recipient and the complainant in writing.**

**The Title VI Complaint Officer will submit findings and conclusions to TDEC Civil Rights Champions. The Assistant Commissioner will issue a decision on the investigation findings and conclusions. Decisions made by the Assistant Commissioner can be appealed to the Commissioner within 30 days of receipt of the decision.**

**A complaint may be filed with the appropriate Federal agency no later than 180 calendar days after the alleged discrimination occurred.**

**Citizen suits remain an option in this process.**

**TDEC's toll free hotline (1-888-891-8332), accessible statewide, is maintained and available for complaints.**

21. Please provide a breakdown of current commission staff by title, ethnicity, and gender.

**The Commission has no staff.**

22. Please list all commission contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.

**None.**

**CONSERVATION COMMISSION (T.C.A. 11-2-101 and 102)****Secretary of State ID 4002**

**Members:** 1  
**Governor appoints:** 15  
**Ex officio:** 1 (Commissioner of Environment and Conservation)  
**Terms:** 3-year  
**Meeting frequency:** quarterly  
**Sunset:** June 30, 2011

Members	Phone/Email	Representative of	Term Begins	Term Expires	Recommendation Process
Ron Braam 2302 Chestnut Lane NW Cleveland, TN 37312	(423) 476-6518 ext.227 rbraam@syalloy.com Randmbraam@att.net	East Tennessee	11-01-09 (11/01/03)	10-31-2012	Governor appoints – No req. to solicit recommendations
John T. (Tom) Callery 547 Cox Lane Brownsville, TN 38102	(731) 772-0735 (hm) (731) 432-9271 (cell) tobacallery@bellsouth.net	West Tennessee	11-01-08 (11/01/02)	10-31-2011	Governor appoints – No req. to solicit recommendations
Jim Fyke Environment & Conservation 1 <sup>st</sup> Floor L&C Annex 401 Church Street Nashville, TN 37243-0435	(615) 532-0106 jim.fyke@state.tn.us	Commissioner of Environment & Conservation	Ex Officio		
Pete Claussen (Vice Chair) Gulf & Ohio Railways, Inc P.O. Box 2408 422 W. Cumberland Avenue Knoxville, TN 37901-2408	(865) 525-9400 (wk) (865) 546-3717 (fax) (865) 573-8487 (hm) hpc@gulfandohio.com	East Tennessee	11-01-07 (11/01/04)	10-31-2010	Governor appoints – No req. to solicit recommendations
Martha H. Cooper 2319 Woodmont Blvd. Nashville, TN 37215	(615) 456-9744 (wk) (615) 297-2566 (hm) mbhcooper@aol.com	Middle Tennessee	11-01-08 (3/28/06)	10-31-2011	Governor appoints – No req. to solicit recommendations
Aaron Ellison 138 Estonallie Road Mercer, TN 38392	(731) 424-0044 (hm/wk) ellisona41@yahoo.com	West Tennessee	11-01-08 (3/28/06)	10-31-2011	Governor appoints – No req. to solicit recommendations
Kim H. Hawkins 2205 Natchez Trace Nashville, TN 37212	(615) 255-5218 (wk) (615) 383-8560 (hm) k.hawkins@hawkinspartners.com	Middle Tennessee	11-01-09 (01/25/07)	10-31-2012	Governor appoints – No req. to solicit recommendations
Michelle Haynes (Secretary) Haynes Realtors & Auction 335 Nashville Pike Gallatin, TN 37066	(615) 452-7500 (wk) (615) 452-2337 (hm) haynesm@realtracs.com	Middle Tennessee	11-01-07 (11/01/04)	10-31-2010	Governor appoints – No req. to solicit recommendations
Mary H. Johnson 300 Lady Lane Shady Valley, TN 37688	(423) 968-5971 (wk) (423) 764-9121 (fax) (423) 739-2102 (hm) (423) 956-9667 (cell) maryhjohnson@gmail.com	East Tennessee	11-01-09 (11/01/03)	10-31-2012	Governor appoints – No req. to solicit recommendations
Bob Keast 255 Marina Road Camden, TN 38320-9699	(731) 584-7880 (wk) (731) 584-1996 (hm) (615) 351-2628 (cell) bob@BirdsongResort.com	West Tennessee	11-01-09 (11/01/03)	10-31-2012	Governor appoints – No req. to solicit recommendations
Will Martin 5141 Granny White Pike Nashville, TN 37220	(615) 370-5673 (hm) (615) 370-5676 (wk) willmartin@comcast.net	Middle Tennessee	11-01-09 (11/01/03)	10-31-2012	Governor appoints – No req. to solicit recommendations
Dr. Chris T. Moore 3914 St. Elmo Ave., Ste F Chattanooga, TN 37409	(423) 821-6600 (wk) (423) 883-0620 (cell) docmoore2@gmail.com	East Tennessee	11-01-09 (10-31-03)	10-31-2012	Governor appoints – No req. to solicit recommendations
Steve Scarborough (Chair) 680 Black Creek Road Rockwood, TN 37854	(865) 603-6981(hm) (865) 603-6981 (cell) stevescarb@aol.com	East Tennessee	11-01-07 (11/01/04)	10-31-2010	Governor appoints – No req. to solicit recommendations
Wimp Shoopman 115 David Road Clinton, TN 37716	(865) 457-3673 (hm) (865) 574-2121 (wk) (865) 318-1171 (cell) wqs@y12.doe.gov (wk) Wshoopman115@comcast.net (hm)	East Tennessee	11-01-06 (11/01/03)	10-31-2012	Governor appoints – No req. to solicit recommendations
Bill Taylor 4907 Mayfield Road, W Collierville, TN 38017	(901) 757-9664 (hm) (901) 754-6452 (fax) (901) 233-8737 (cell) taycottt@bellsouth.net	West Tennessee	11/01/07 (02/01/04)	10/31/2010	Governor appoints – No req. to solicit recommendations
David A. Turner 30 Plantation Oaks Humboldt, TN 38343	(731) 616-9000 (wk) (731) 784-8729 (hm) TurnerPartnership@gmail.com	West Tennessee	11-01-08 (10-29-07)	10-31-2011	Governor appoints – No req. to solicit recommendations

TDEC Contacts: Jim Fyke, Commissioner of Environment and Conservation 615-532-0106; Mark Tummons 615-532-0748; Carol Thompson 615-532-0208

Revised: 6/18/2010

Name	17-Nov-09	4-Feb-10	20-Apr-10	13-Jul-10	Totals
	Teleconference			Teleconference	
	No expenses			No expenses	
Aaron Ellison			\$151.80		\$151.80
Bob Keast			\$101.20		\$101.20
Chris Moore			\$115.92		\$115.92
David Turner			\$147.20		\$147.20
Michelle Haynes		\$26.68	\$26.68		\$53.36
Tom Callery		\$144.92	\$159.16		\$304.08
<b>Grand Total</b>		\$171.60	\$701.96		\$873.56